

REMARKS

This application has been reviewed in light of the Office Action of September 24, 2008. Claims 1, 4-5, 7-23, and 29 are pending. Claims 1, 4, 5, 7, and 11-23 are rejected under 35 U.S.C. §103(a) as unpatentable over U.S. 2002/0005089 to Nagata et al. (Nagata) in view of U.S. 3,234,608 to Peras (Peras) and U.S. 2002/0003008 to Goecmen et al (Goecmen). Claim 29 is also rejected over Nagata in view of Peras and Goecmen.

Claims 8, 9 and 10 are not addressed in the Detailed Action, but as reflected in the Form PTOL-413 Interview Summary dated December 15, 2008, the Examiner indicated that claims 8-10 are objected to and directed to allowable subject matter. Applicants acknowledge and confirm the content of the interview summary and thank the Examiner for the indication of allowable subject matter.

I. Claim Amendments.

Claim 1 is amended to incorporate a Markush group listing the reduction steps of objected to claims 8-10. Claims and 7 and 29 are cancelled without prejudice. No new matter is presented.

II. Rejections over the cited art.

Applicants respectfully traverse the rejections over the cited art for at least the reason that Nagata fails to teach producing an initial metallic particle that is the same as that resulting according to Applicants' claimed invention and that the additional references fail to overcome those deficiencies. Nevertheless, to advance the prosecution of the case, the limitations of objected to claims 8-10 have each been incorporated into independent claim 1 through the Markush language added by way of amendment and claims 7 and 29 have been cancelled.

Thus, Applicants submit that all outstanding rejections have been mooted and that all claims are now in condition for allowance.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully request reconsideration of the Application and withdrawal of all outstanding rejections. Applicants respectfully submit that the claims are not rendered obvious in view of the cited art and thus, are in condition for allowance.

The Commissioner is hereby authorized to deduct any fees determined by the Patent Office to be due from the undersigned's Deposit Account No. 50-1059.

Respectfully submitted,
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